



## FORTY KILLED TRAIN WRECK

### Rear End Collision in Australia

### SIXTY PEOPLE INJURED

### Five Cars Were Wrecked and Took Fire and Were Almost Completely Consumed

### TERRIBLE SCENE FOLLOWED

### Many of the Injured Were Caught in the Wreckage and Were With Great Difficulty Rescued—They Had a Long Wait for the Doctors.

MELBOURNE, April 21.—The trains from Ballarat and Bendigo, respectively, collided last night at Baybrook Junction about eight miles from Melbourne, in which 41 persons were killed and 60 injured. The Bendigo train with two heavy engines crashed into the rear of train. Five cars of the latter train were wrecked, took fire and was almost completely consumed. Many bodies were unrecognizable when recovered. The Bendigo train suffered but little damage, but the two engines were piled up on top of the rear coaches of the other train. Terrible scenes followed and many of the injured being caught in wreckage were with difficulty rescued. It was a long time before the doctors and nurses arrived on the scene and in consequence intense suffering prevailed among the injured.

### "SHOT UP THE TOWN."

### Borah Declares This is What the Colored Troops Did.

WASHINGTON, April 20.—The Brownsville affair was again the subject of interest in the Senate today when Senator Borah of Idaho took the ground that the negro soldiers of the 25th infantry were guilty of a raid. Borah analyzed the testimony and declared that no responsible man could read it and fail to be convinced that the negro soldiers "shot up" the town. He scouted the idea of a conspiracy among the citizens of Brownsville to create a state of riot in their own town and wounded and killed their own citizens in order to secure the removal of the negro troops. The speech was Borah's first effort in the Senate and received with marked attention the Senators on both sides of the chamber and from the visitors who crowded the galleries.

The Senate gave further consideration during the day to the bill devoting about \$5,600,000 receiving from the sale of public lands in the Mississippi Valley States to the construction of drainage works in those states.

During the day the naval and agricultural appropriation bills were reported to the Senate.

### TERMS OF PRIZE

### Aero Club Will Announce it Tonight.

NEW YORK, April 20.—Octave Chanute, the authority on A 1 flying machines and upon whose models Wright Bros. Farnum and others have achieved success, will announce the terms of the new American prize

of \$25,000 at a meeting of the Aero Club, to be held tonight.

It was decided yesterday at a conference to turn the fund over to the Aero Club as a custodian when it is collected. Already enough subscribers have been received to insure the success of the undertaking.

In addition to the fund of \$25,000 for prizes, the Aero Club will contribute \$5,000 to establish a field for experimenters and the contests for the prizes.

### FORD'S TRIAL BEGAN.

SAN FRANCISCO, April 20.—The taking of testimony in the third trial of General Ford in connection with the alleged bribery of the Supervisors by the United Railways began in Judge Lawlor's court today. Ford's first trial resulted in a disagreement of the jury and in the second one he was acquitted. He is under 14 indictments.

### EIGHT JURORS FOR RUEF.

SAN FRANCISCO, April 20.—The third week in the case of Abe Ruef began today. Three more jurors were sworn in, making eight now in the jury box who have been finally accepted as jurors. The prosecution and the defense each exercised two pre-emptory challenges today. This leaves one more for the prosecution and three for the defense.

## THE VACANT CHAIR

### Place Assigned to Evans at Banquet Was Unoccupied.

### SAILORS ENJOY THEMSELVES

### There Were 3600 Sailors and Marines on Shore Leave Today and the Majority of Them Made at Once for the Chutes Park.

LOS ANGELES, April 20.—A long day of merrymaking by the sailormen of the battle fleet was brought to a close tonight with two big banquets, one to the petty officers at the largest cafe in the city and the other to the admirals and commanding officers of the fleet. The latter function was the most elaborate ever held in this city, and was provided at the Hotel Alexandria. A vacant chair marked the place originally assigned to Admiral Evans. There were 3600 sailors and marines on shore leave today and the majority of them made at once for the pleasure grounds at the Chutes Park, where an amateur boxing carnival managed and refereed by James J. Jeffries was the first attraction of the day.

### SERIOUS UPRISINGS.

### Spasms of Guerilla Warfare in the Philippines.

SAN FRANCISCO, April 20.—Army officers on the Buford which arrived yesterday from the Island brings news of serious uprisings in Mindanao and spasms of guerilla warfare between the whites, the settlers and the natives.

"The natives have fired on the whites," said Col. F. W. Mansfield of the 2nd infantry who is in charge of the troops that arrived on the Buford, "and we have ended the trouble for the time. But another outbreak may come at any minute."

Captain Charles H. Muir of the Second Infantry spent some time in the Moro country quieting the natives, and the campaign there was a trying one. The natives, he said, fight as did the North American Indians and it takes many weeks of scouting and hard work to bring them to terms.

"I do not know" said Col. Mansfield yesterday, "how many natives will be concerned in a new outbreak but their trouble will be of short duration of that I am sure."

## EDDIE KELLY DEFEATED

### Attell Still Retains His Champion Title.

### WINNING IN THE EIGHTH

### Kelly Was Unable to Land Any Damaging Blows During the Mill

### GREAT EXHIBITION BY ATTELL

### In the First Minute of the Eighth Attell Floored His Opponent With a Right Swing—A Moment Later Champion Dropped Him for Good

SEATTLE, April 20.—Abe Attell retained his title as the featherweight champion of the world at a sound beach tonight by defeating Eddie Kelly of Buffalo in the eighth round. Kelly was unable to land a damaging blow during the mill. Attell gave a wonderful exhibition of footwork and cleverness and the Buffalo fighter tired himself out in attempting to land a knockout blow. In the seventh Kelly went to his corner groggy from a series of hard rights to the jaw. In the first minute of the eighth, Attell floored his opponent with a right swing. A moment later the champion dropped Kelly and the referee stopped the fight, giving the verdict to Attell. The fight was witnessed by about 4000 persons.

### OFFICIAL IS MISSING.

SAN FRANCISCO, April 20.—Friends of Charles C. Macclevery, local manager of the marine branch of the Standard Oil Company are worried over his absence in lower California. Macclevery left here over a month ago to join the fleet at Magdalena Bay, going down on the Pacific Coast Steamship Company's steamer Curacao as far as La Paz, and the last seen of him was at that place. When the officers of the fleet failed to hear from Macclevery Admiral Thomas directed that a boat be sent ashore at La Paz on his way up from Magdalena Bay, and a party spent several hours searching for traces of the San Franciscan. The Curacao stopped at La Paz three hours on its last trip from Mazatlan to San Francisco and a searching party was sent out again to look for Macclevery.

### LOOKING FOR EMPLOYMENT.

### Grecian Prince in New York Seeking Work.

NEW YORK, April 20.—Too proud to accept from his countrymen of whom there are many in this country who know his history, Prince Constantine Paleologue of Greece, who is related to many of the royal families of the old world, is seeking employment in New York.

Through the newspaper advertising columns he is trying to obtain a position as a secretary, a tutor or anything that will enable him to earn an honest living.

"I must get employment" said the prince through his friend Peter Geanos, "and I hope that it will come soon."

In several newspapers Mr. Geanos acting for the prince inserted the following advertisement:

"Impérial prince, single, of an ancient dethroned European family, living incognito wishes to acquire the friendship of a distinguished Ameri-

can gentleman. Apply by letter, Charles de Knox, 104 East 14th st."

Charles de Knox is the name used by Mr. Geanos for the prince as the prince did not desire to reveal his identity.

The prince came to the United States from Athens about ten months ago, and for some time was employed as a writer for a Greek newspaper at a salary of \$15 a week.

Three months ago he lost that position and since then he has had no employment.

Greece does not recognize the prince as a member of a royal family because of a decree that there shall be no imperial prince in that country except those of the reigning family.

### PARALYSIS IN GRAND STAND.

NEW YORK, April 20.—Enthusiasm and excitement over a thrilling new play in the Giant's baseball yesterday caused the collapse from a stroke of paralysis of Thomas J. Eymann, 44 years old, of East Orange. He was taken to Saint James Hospital and late last night was in a critical condition. He was in the grandstand when Shannon, left fielder of the New York team made a difficult catch of a line drive by Sharp of the Newark. The 5000 spectators were on their feet in an instant, cheering Shannon wildly. Eymann suddenly sank back in his seat unconscious, his plaudits cut short.

## THAW'S PETITION

### To Ask That Habeas Corpus Proceeding Be Instituted

### AND HIS SANITY DETERMINED

### He Has Engaged James A. Graham of Newburgh to Take Legal Steps to Bring About His Release From Matteawan Asylum.

POUGHKEEPSIE, April 20.—Permission was asked today to permit Harry Thaw to sign a petition to the court asking that habeas corpus proceedings be instituted and his sanity determined.

James A. Graham of Newburgh, who was engaged by Harry Thaw about two weeks ago to take legal steps to bring about Thaw's release from Matteawan Asylum, said tonight that the application made to permit Thaw to sign an application was but a preliminary step for a hearing to determine Thaw's sanity. Graham said it would probably be several weeks before the application is made. Graham says he is perfectly satisfied that Thaw is now sane, notwithstanding the morbid influences with which he is surrounded. District Attorney Jerome said when told that an effort was to be made to free Thaw said his office would resist any attempt to free him.

President Ferris of the state commission in lunacy said tonight that no formal request had been made to the commission regarding his mental condition.

### FATAL AUTO ACCIDENT.

### Driver Killed and One of the Others May Die from Concussion of the Brain.

BOSTON, April 20.—William Gallagher, 24 years old, of Malden was almost instantly killed; Joseph Shine, 22 years old, suffered a concussion of the brain and may die, and William Flyam, 26 years old, was injured in an automobile accident on Commonwealth avenue in Brighton today.

Gallagher, who was driving the car apparently lost control on a down grade and it smashed into a telegraph pole, throwing out the occupants.

## A BREACH OF PRIVILEGE

### Cannon's Action Not So Considered.

### WILLIAMS SAID IT WAS

### Cannon Called Their Attention to the Dilatory Tactics of the Minority Leader

### AN AMENDMENT TO THE RULES

### Dalzell, Its Author, Notified the Democrats That They Could Trust to Their Imagination For Any Legislation They Would Get Now.

WASHINGTON, April 20.—With the exception of Cooper and Nelson, both Republicans, the House today by a strict party vote, declared the action of Speaker Cannon on Saturday in summarily adjourning the house was not a "breach of privilege of the house affecting its safety dignity and the integrity of its proceedings."

The dictum was when a resolution by Williams holding such a breach to have been committed, was tabled by a vote of 146 to 119. The vote was preceded by statements by Williams and the Speaker. After disclaiming that as a result of the incident there would be a personal breach between him and the Speaker, Williams maintained that the action was an unprecedented parliamentary act. On the other hand Cannon called his attention to the dilatory tactics of the minority leader for the past two weeks and said it was the Speaker's privilege and his duty to sweep aside the dilatory demand and declare the House adjourned. The Republicans put through an amendment to the rules making any day "suspension day" and substituting a majority for two-thirds vote to pass any measure. Williams and Dearmond bitterly opposed the rule. Dalzell, its author, notified the Democrats that they could trust to their imaginations for any legislation they would get this session. Following the adoption of the rule, several conference reports were agreed to and one or two bills passed. Democrats tried to repeal the calls during the day.

### BODY GUARD.

### John D. Rockefeller has a Body Guard of Six Men.

NEW YORK, April 20.—In place of the one man who did like service on Sunday of last week, six private detectives acted as a bodyguard for John D. Rockefeller yesterday when he walked with his two grandchildren, Fowler and Muriel McCormick, from his home at No. 4 West 54th street to the Fifth avenue Baptist Church in 46th street, near Fifth avenue, to attend the Easter service.

The guard was maintained on the return from church, the detectives walked a short distance behind Mr. Rockefeller and the children, who were in the care of a nurse.

In view of these extra precautions, it was thought that the Black Hand threats against the children recently received by Mrs. Harold McCormick, their mother, together with demands for money, has been renewed but no information on that point could be obtained. It was observed, however, that when Mr. Rockefeller paused to chat with one or two acquaintances during the walk, the de-

tectives moved closed to him and that once, on the way to the Fifty-fourth street residence, when little Muriel started to run, her grandfather gave one of the detectives a quick glance and she was called back instantly and made to stay with the others of the party.

### SULZER BILL.

### Central Federation Asks to Have it Acted Upon.

NEW YORK, April 20.—The Central Federated Union has adopted the recommendation of its general executive board to ask Congress to pass the Sulzer bill creating a Department of Labor district from the Department of Commerce, to promote such improvements in the social, political and economic conditions of the wealth producing labor of the United States as shall tend to secure to their natural rights to the opportunity to labor and to secure in the possession and the enjoyment of the full fruits of their work.

The bill provides for a secretary with a seat in the cabinet with a salary of \$8,000 and six assistant secretaries each to receive \$5,000 a year. Should the bill become a law it is believed that the post of secretary would be offered to John Mitchell, former president of the United Mine workers.

## RUSSIAN TROOPS

### A Detachment in Persia Is in a Serious Position

### CONFIRMED BY DISPATCHES

### Grand Duke Nicholas Leaves St. Petersburg Incognito For Crimea for Personal Reasons But Indications Are That it is Important.

ST. PETERSBURG, April 20.—That a Russian detachment in Persia is in a serious position is fully confirmed tonight by the dispatches which have been received by the foreign office from the Russian commander at Yelisavethol in trans-Caucasia, 90 miles from Tiflis.

Grand Duke Nicholas Nicholai-vitch departed quietly from here today traveling incognito for Crimea. The trip is ostensibly for personal reasons and it is said will be of short duration. The duke's departure, however, on the eve of the imperial family reunion for the Easter services and of the royal marriage of the Grand Duchess Marie Pavlovna to Prince Wilhelm of Sweden, is considered an indication of a more important object. Despite diplomatic denials, Russia continues to forward reinforcements and munitions of war to the Caucasus. The European military attaches especially the German, are evincing great interest in the general situation and made a number of inquiries, but the general staff reiterates that the measures are purely precautionary.

### NEGRO IN THE TOILS.

NEW YORK, April 20.—The police of Pelham Manor seeking the murderer of Julius T. Rosenheimer, slain in the garden of his residence last June, have arrested Thomas Brink, a negro teamster of Yonkers, 29 years old. The Yonkers police say that Frank Monaco, who was recently arrested at Huntington, Ind., in connection with the crime, has implicated Brink and claims that they were together on the night of the murder. Brink denies this but admits that he was with Monaco on the Sunday night preceding the murder.